IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.3180 OF 2005

Madhukar Pandurang Patil (Ghorpade). ...Petitioner.

Vs.

Madhuswapna Co-operative Housing
Society Ltd. & Ors. ...Respondents.

....

Mr. S. A. Pawar for the Petitioner.

.....

CORAM : A.P. SHAH AND
DR.D.Y.CHANDRACHUD, JJ.

June 16, 2005.

P.C.:

The issue of constitutional validity of Section 101 of the Maharashtra Co-operative Societies' Act, 1960, is concluded by a judgment of the Nagpur Bench. The Division Bench held the provision to be ultra vires.

As far as the challenge on merit is concerned, the Petitioner has alternative remedy of filing a revision under Section 154A of the Act. Petition is dismissed with liberty to the Petitioner to approach the revisional authority for appropriate relief.

.....